

Ref	Policy or paragraph reference based on July 2019 version of the Draft Plan <i>(reference based on intend to publish version December 2019 where different)</i>	Inspectors’ Recommendation <i>Where relevant, new text is <u>underlined</u>, and deletions are strikethrough</i> <i>The Mayor should also undertake any necessary consequential changes arising from these recommendations</i> <i>* Policy and paragraph references are to the consolidated suggested version of the Plan published on 15 July 2019</i>	Mayoral Response and statement of reasons for recommendations that not accepted by the Mayor New text is shown as bold red and deleted text as red strikethrough Where relevant, references are for the ‘intend to publish’ version of the Plan
PR1	NA	Include all Minor and Further Suggested Changes unless otherwise recommended.	Recommendation <u>accepted</u>
PR2	NA	When next altering or replacing the Plan publish a statement setting out how consultation requirements will be met and evidence clearly demonstrating what was done to meet those requirements.	Recommendation <u>accepted</u>
PR3	Good Growth 1 – 6	Modify the Plan to make clear that GG1 and GG6 are objectives rather than policies.	<p>Recommendation <u>accepted</u></p> <p>A consequential change has been made to ensure that the policy requirement for establishing ambitious housing build-out rates at the planning stage of development, which currently sits in GG4, is not lost through the change of the GG policies to objectives. This has been incorporated into Policy H1.</p> <p>Policy H1 B To ensure that ten-year housing targets are achieved boroughs should:</p> <p>3) establish ambitious and achievable build-out rates at the planning stage, incentivising build-out milestones to help ensure that homes are built quickly and to reduce the likelihood of permissions being sought to sell land on at a higher value.</p> <p>4.1.10 The Mayor will work closely with boroughs on their housing trajectories and Development Plans to ensure these targets are planned for effectively, particularly where issues are identified in terms of completions and the development pipeline. In order to effectively contribute towards meeting London’s housing needs, it is essential that all permitted homes are built out in a timely manner. Boroughs should encourage ambitious and achievable build-out milestones for all development proposals and consider using tools such as viability reviews (see Policy H5 Threshold approach to applications). ...</p>
PR4	Policy SD3 – Growth locations in the Wider South East and beyond. Figure 2.15 Paragraph 2.3.8A <i>(2.3.8)</i>	Move Figure 2.15 and associated text to the transport chapter and modify the text to clarify the status of the initial strategic infrastructure priorities in the wider South East and how they relate to the transport schemes listed in Table 10.1.	<p>Recommendation <u>not accepted</u></p> <p>The Mayor considers that figure 2.15 fits better in the Wider South East (WSE) policies SD2 and SD3. It illustrates spatially the wider regional context for WSE collaboration. These initial Strategic Infrastructure Priorities were endorsed by the WSE partnership and represent a significant output of the joint WSE work. They have no formal status but enjoy recognition as shared priorities as set out in paragraph 2.3.8. The underlying principles of collaboration and agreed arrangements are set out within the WSE policies (specifically Policy SD2, paragraph 2.2.4). Additionally, future iterations of these initial Strategic Infrastructure Priorities are likely to cover not only transport but also other strategic infrastructure such as water supply.</p>

			<p>All of this context is absent from the transport chapter, thus including Figure 2.15 there would risk obscuring this understanding of the Mayor’s and London’s relationship with the WSE. The associated supporting text (paragraph 2.3.8) was co-located with Figure 2.15 as part of the FSCs to separate this from other specifically growth-related aspects of Policy SD3.</p> <p>Furthermore, Chapter 10 of the draft Plan is focused on transport within the London context, reflecting the priorities of, and helping to deliver, the Mayor’s Transport Strategy. As acknowledged within the Inspectors’ report, Table 10.1 is derived from the MTS and reflects the transport modelling undertaken as part of the MTS evidence base to identify the means through which sustainable transport outcomes and modal shift away from private car use can be achieved. Whilst some of the priorities identified in Figure 2.15 are covered to varying extents within Table 10.1, it also includes some road improvement schemes. This may reflect different spatial circumstances to London, but it does not strictly match the specific focus of the MTS and Chapter 10 of the draft Plan on promoting mode shift.</p> <p>However, it is accepted that some cross-referencing to the transport chapter and Table 10.1 would be beneficial. Therefore, the Mayor proposes to add the following sentence to paragraph 2.3.8:</p> <p>Figure 2.15 shows London in its wider regional setting. 13 WSE Strategic Infrastructure Priorities have been endorsed by the WSE partners for initial delivery. Eight of these are radial priorities that connect directly to Growth Corridors within London. The remaining five are orbital priorities that can help reduce transit through London and stimulate the WSE economy beyond the capital. The schemes within these areas are at different planning stages. Their delivery will have to be phased. As all of these initial priorities are focused on transport, those schemes that can be linked to London’s public transport system are also reflected in Table 10.1 (chapter 10).</p>
PR5	Policy SD5- Offices, other strategic functions and residential development in the CAZ Part B	Modify as follows: “... (<u>areas to be identified detailed boundaries to be defined</u> by boroughs in development plans).”	Recommendation <u>accepted</u>
PR6	Policy H1 Increasing housing supply - reasoned justification	Add text to the effect that: In conjunction with the boroughs and taking account of the information published in accordance with Policy H1D, the Mayor should take a leading role in setting and updating London-wide housing trajectories and in monitoring supply against targets on a London-wide basis.	<p>Recommendation <u>accepted with amendment</u></p> <p>4.1.10 This should be supported by a clear articulation of how these homes will be delivered and any actions the boroughs will take in the event of under delivery⁴⁵. With the support of the boroughs and taking account of the information published in accordance with Part D, the Mayor will monitor housing supply against targets on a London-wide basis.</p> <p>Accurately monitoring housing trajectories on a London-wide bases would be heavily dependent on the information provided by the boroughs and this in turn is dependent the resources the boroughs have to keep this information up to date. Therefore, it is more effective and deliverable to commit in the Plan to seek to monitor housing supply on a London-wide basis with the support of the boroughs.</p>
PR7	H1 Increasing Housing Supply Paragraph 4.1.8D (4.1.12)	Modify as follows: “If a target is needed beyond the 10 year period (2019/20 to 2028/29) boroughs should draw on the 2017 SHLAA findings (which cover the plan period to 2041), <u>any local evidence of identified capacity in consultation with the GLA</u> and should take into account any additional capacity that could be delivered as a result of any committed transport	<p>Recommendation <u>accepted in part</u></p> <p>The additional wording is accepted as local evidence will be an important part of any target beyond the ten years, however the reference to the GLA is retained, this is because it is important that the strategic authority is involved in the process to provide support and advice and to ensure that a consistent approach is taken to the assessment of housing capacity and to enable the GLA to have a comprehensive picture of housing capacity across London.</p>

		infrastructure improvements, and roll forward the housing capacity assumptions applied in the London Plan for small sites.”	4.1.12 If a target is needed beyond the 10 year period (2019/20 to 2028/29) boroughs should draw on the 2017 SHLAA findings (which cover the plan period to 2041) and any local evidence of identified capacity in consultation with the GLA, and should take into account any additional capacity that could be delivered as a result of any committed transport infrastructure improvements, and roll forward the housing capacity assumptions applied in the London Plan for small sites.”
PR8	Policy H1 Increasing housing supply Table 4.1	Modify ten-year housing targets in accordance with Appendix A of panel recommendations.	Recommendation <u>accepted</u>
PR9	Policy H2 Small sites Paragraph 4.2.4	Add to end of paragraph: <u>“The small site target can be taken to amount to a reliable source of windfall sites which contributes to anticipated supply and so provides the compelling evidence in this respect required by paragraph 70 of the National Planning Policy Framework of 2019.”</u>	Recommendation <u>accepted</u>
PR10	Policy H2 Small sites Table 4.2	Modify small site ten-year housing targets in accordance with table in Appendix A of panel recommendations.	Recommendation <u>accepted</u>
PR11	Policy H2A Small housing developments	Delete policy H2A small housing developments and related supporting text in its entirety.	<p>Recommendation <u>accepted in part</u></p> <p>To encourage boroughs to make greater use of small sites for housing developments and help manage these developments, some of the supporting text from Policy H2A has been moved into the supporting text of Policy H2 as it is relevant to the Policies in H2 and the small site targets have been reframed as minimums.</p> <p>The relocated supporting text identifies different ways in which small site development opportunities can be encouraged and managed by the boroughs, particularly through proactive use of design codes (which are encouraged by Policy H2 part B2).</p> <p>This encouragement for small site development in the Plan will provide an opportunity to further explore and evidence the latent capacity for intensification which the Mayor believes is greater than the applied annual growth rate of 0.3% suggests.</p> <p>The supporting text also provides guidance for boroughs on development management issues that these developments may raise, from providing family housing in conversions to mitigating the impacts on greenspace. It also encourages minor developments to contribute to creating affordable housing so these developments can help provide the housing mix that London needs. This encouragement is important given that 65% of London’s housing need is for affordable housing.</p> <p>Text from the following sections of Policy H2A has been incorporated into the supporting text of Policy H2 paragraphs 4.2A.1, 4.2A.2, 4.2A.4, 4.2A.8-10, 4.2A.12, 4.2A. 13.</p> <p>Full text changes can be seen in the ‘Intend to publish’ track change version of the Plan.</p> <p>In addition, text related to Policy H2A and the lowering of the housing target throughout the plan has been removed or amended accordingly.</p>
PR12	Policy H9 – Vacant Building Credit	Delete the policy and supporting text.	Recommendation <u>accepted</u>

			The Inspectors’ report found that the approach to VBC is contrary to national policy, however, it recognises that boroughs may disapply the VBC based on local evidence. Given that there is discretion for boroughs to place greater weight on Development Plan policies for affordable housing and local evidence of housing need, the recommendation is accepted.
PR13	Policy H12 Housing size mix (H10) Part C and paragraph 4.12.2 (4.10.2)	Delete part C of policy H12 and related supporting text.	<p>Recommendation <u>accepted</u></p> <p>Policy H10 Housing size mix</p> <p>C — Boroughs should not set prescriptive area-wide dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes.</p> <p>DC For low cost rent, boroughs should provide guidance on the size of units required...</p> <p>4.12.2 Policy H10 Housing size mix sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. Boroughs should not set policies or guidance that require set proportions of different sized (in terms of number of bedrooms) market or intermediate units to be delivered. Such policies are inflexible, often not implemented effectively and generally do not reflect the optimum mix for a site taking account of all the factors set out in Part A of Policy H12 Housing size mix. Moreover, they do not necessarily meet the identified need for which they are being required; for example, larger market units are often required by boroughs in order to meet the needs of families but many such units are instead occupied by sharers. In addition, local and strategic housing need figures for market homes will be heavily influenced by the assumptions made in the assessment about the level of under-occupation in the private sector. However, bBoroughs may be encouraged to set out the preferred housing size mix (for all tenures) as part of a site allocation, ensuring that the housing size mix is determined in accordance with Parts A and DB. ...</p>
PR14	Policy H14 Supported and specialised accommodation (H12) Paragraph 4.14.1 (4.12.1)	Include first sentence of paragraph 4.14.1 within policy H14.	<p>Recommendation <u>accepted</u></p> <p>A The delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London’s population, including disabled Londoners (see <u>Policy D7 Accessible housing</u>) within a wider inclusive community setting. Boroughs should undertake assessments of the need for short term, medium-term and permanent supported and specialised accommodation within their borough. Supported and specialised accommodation could include:</p> <p>...</p> <p>4.12.1 Boroughs should undertake assessments of the need for short term, medium-term and permanent supported and specialised accommodation within their borough. In undertaking assessments of the need for supported and specialised accommodation existing accommodation options available within</p> <p>...</p>
PR15	Policy H15 Specialist older persons housing (H13) Paragraph 4.15.3B (4.13.5) and 4.15.3C (4.13.6)	Amend paragraphs 4.15.3B and 4.15.3C with words to the effect that the policy also applies to specialist older persons’ housing which does not provide an element of care.	<p>Recommendation <u>accepted</u></p> <p>4.13.5 Specialist older persons housing that does not provide an element of care but is specifically designed and managed for older people (minimum age of 55 years) is covered by the requirements of this policy.</p> <p>In addition to this Specialist older persons housing covered by the requirements of this policy also cover specialist older persons housing that has the following attributes:</p> <p>i. where care is provided or available;</p> <p>a. there are separate contracts/ agreements in place for the personal care and accommodation elements, and/or</p> <p>b. residents have a choice as to who provides their personal care</p>

			<p>ii. housing is occupied under a long lease or freehold, or a tenancy agreement, licensing agreement, license to occupy premises or a leasehold agreement</p> <p>iii. housing provided is specifically designed and managed for older people (minimum age of 55 years)</p> <p>iv. likely CQC-regulated activity (footnote 72) will be ‘personal care’.</p> <p>4.13.7 Where a development does not meet the attributes of ‘specialist older persons housing’ as defined by 4.13.6 or the attributes of ‘care home accommodation’ as above-defined by 4.13.4, then the general housing policies in the Plan apply.</p> <p><u>72</u> Care Quality Commission, Housing with care guidance on regulated activities for providers of supported living and extra care housing, October 2015</p>
PR16	Policy H16 Gypsy and Traveller accommodation (H14) - reasoned justification 4.16.6 and 4.16.7A (4.14.7 and 4.14.8)	Add text to the effect that: The Mayor should commit to instigating and leading a London-wide accommodation assessment for gypsies and travellers and to supporting the Boroughs in finding ways to make provision for this group. Progress in this respect should be demonstrated at the time of the next review of the Plan.	<p>Recommendation <u>accepted</u></p> <p>To address the recommendations, the following amendments have been made.</p> <p>H14</p> <p>C Boroughs that have not undertaken needs assessment since 2008 should identify need by either:</p> <p style="padding-left: 40px;">1) undertaking a Gypsy and Traveller accommodation needs assessment within the first two years of this Plan period using on the definition for Gypsies and Travellers set out above; or</p> <p style="padding-left: 40px;">2) use the figure of need for Gypsy and Traveller accommodation provided in Table 4.4 as identified need for pitches until a needs assessment, using the definition set out above, is undertaken as part of their Development Plan review process.</p> <p>4.14.7 The new definition should be used within London for the purposes of assessing accommodation need, and auditing and protecting existing sites and pitches.</p> <p>4.14.8 The Mayor will initiate and lead a London-wide Gypsy and Traveller accommodation needs assessment, and will work to support boroughs in finding ways to make provision for Gypsy and Traveller accommodation. Until the findings of this new London-wide needs assessment are available for use in Development Plans boroughs should continue to plan to meet the need for permanent Gypsy and Traveller pitches in accordance with the requirements of Policy H14, with a particular focus on Part C.</p>
PR17	Policy H16 Gypsy and Traveller accommodation (H14) Part B	Delete part B of policy H16.	<p>Recommendation <u>not accepted</u></p> <p>The Inspectors conclude that the definition of Gypsy and Travellers should be consistent with national policy. However, this does not address the fundamental issue with Governments PPTS definition (national policy) which is that it excludes many Gypsies and Travellers- including many who would could come under the protected characteristic grouping of race under the Equality Act, which is a key consideration as s.149 of the Equality Act 2010 places duties on the GLA as a public body. It would specifically exclude Gypsies and Travellers who have ceased to travel (but may still live in a caravan) permanently or temporarily due to a lack of available permanent pitches, transit sites or stopping places, frequent enforcement action (evictions) or lack of work opportunities, and Gypsies and Travellers who live in bricks and mortar housing due to the lack of sufficient, affordable and good quality caravan site provision.</p>

			Not accepting this recommendation and retaining the proposed London Plan definition will result in needs assessments more accurately reflecting this community in London.
PR18	Policy H17 Purpose-build student accommodation (H15) Supporting text 4.17.3 (4.15.3)	Delete part A3 of policy H17 and related supporting text. Modify paragraph 4.17.3 with words to the effect that boroughs should encourage nomination agreements.	Recommendation <u>accepted in part</u> The Inspectors raised concerns over the use of nomination agreements. However, the report identified only some of the reasons for requiring a nomination agreement. The use of nominations agreements can ensure the effective allocation of student accommodation to meet identified needs. Therefore, to address the Inspectors’ concerns, while ensuring effective allocation of accommodation, amendments to the Policy have been made; <ul style="list-style-type: none"> to clarify that the affordable student accommodation will form part of the accommodation subject to a nomination agreement with higher education providers, and that this is essential for effective allocation to students who are most in need of this accommodation, and to clarify that the Policy is not a requirement for all the accommodation in the development to be subject to a nomination agreement, but that the requirement only applies to just over half of the accommodation. Policy H15 A 3) the majority of the bedrooms in the development including all of the affordable student accommodation bedrooms are the accommodation is secured through a nomination agreement for occupation by students of one or more higher education provider 4) c) the affordable student accommodation bedrooms should be allocated by the higher education provider(s) that operates the accommodation, or has the nomination right to it, to students it considers most in need of the accommodation.
PR19	Policy D1B Optimising site capacity through the design led approach (D3) Part D	Delete part D of policy D1B.	Recommendation <u>accepted</u>
PR20	D4 Housing quality and standards (D6) Paragraph 3.4.5 (3.6.5)	Modify as follows: “Single aspect dwellings that are north facing, contain three or more bedrooms or are exposed to noise levels above which significant adverse effects on health and quality of life occur should not be avoided permitted.”	Recommendation <u>accepted</u>
PR21	Policy D2 Delivering good design (D4) Paragraph 3.2.12 (3.4.12)	Delete part of paragraph 3.2.12 as below: Securing the design team’s ongoing involvement can be achieved in a number of ways, such as through a condition on a planning permission, <u>or</u> as a design reviewer, or through an architect retention clause in a legal agreement.	Recommendation <u>not accepted</u> The Mayor considers that it is important to retain the reference to the use of architect retention clauses in Policy D2 supporting paragraph 3.2.12 as a way to ensure that the design quality of development is retained through to completion. The policy does not mandate the use of an architect retention clause, rather it is just one of a number of options provided and thus the Mayor does not agree that this is an overly onerous requirement. The text is considered to be in-line with the Government’s objective and approach to delivering good design [in NPPF paragraphs 56, 57/PPG Design Paragraphs 001, 003, 036] and the broader focus on design through the recently published National Design Guide

PR22	Policy D9 Basement development (D10) Part A	Add text as follows: “Boroughs should establish policies <u>in their development plans</u> to address ...”	Recommendation <u>accepted</u>
PR23	Policy D10 Safety, security and resilience to emergency (D11) Part A (Part B)	Part A of policy D10 should include words to the effect that policies and any site allocations, where locally justified, should be set out in development plans.	Recommendation <u>accepted</u> B Boroughs should work with their local Metropolitan Police Service ‘Design Out Crime’ officers and planning teams, whilst also working with other agencies such as the London Fire Commissioner, the City of London Police and the British Transport Police to identify the community safety needs, policies and sites required for their area to support provision of necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime. Policies and any site allocations, where locally justified, should be set out in development plans.
PR24	Policy D12 Agent of change (D13) Parts A and B (Part A)	Part A of D12 should be combined with part B or deleted.	Recommendation <u>accepted</u> A The Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. B Boroughs should ensure that Development Plans and planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby. B——Boroughs should ensure that Development Plans and planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby. Moved and combined with Part A. See above.
PR25	Policy D12 Agent of change (D13)	Modify part F of policy D12 as follows: “Boroughs should refuse <u>not normally permit</u> development proposals ...”	Recommendation <u>accepted</u>
PR26	Policy E2 Providing suitable business space Part A	Modify part A of policy E2 as set out in the Mayor’s further suggested change but with the deletion of: “ at an appropriate range of rents ”.	Recommendation <u>not accepted</u> Seeking to provide business space at an appropriate range of rents through local Development Plan policies is justified in London given, the particularly high cost of workspace relative to other parts of the UK, the crucial role SMEs play in the capital’s economy, and the vulnerability of smaller occupiers and creative businesses in particular to even small fluctuations in costs.
PR27	Policy E3 Affordable workspace Part F and reasoned justification 6.3.3A (6.3.5).	Delete part F of policy E3. Text should be added to the reasoned justification to the effect that: Planning obligations used to secure affordable workspace should include mechanisms to ensure its timely delivery including as part of mixed use schemes where it may be appropriate to require it in advance of some or all of the residential elements.	Recommendation <u>accepted</u> Delete part F of policy E3 and to add the following text to paragraph 6.3.5. “Social, cultural, or economic development objectives can be set in planning obligations, or by ensuring workspace providers are on a Local Authority framework panel or accredited list. Arrangements for engaging a provider, how the space will be owned or leased and the process for review, changes in terms, disposal or termination, should be agreed with the Local Planning Authority. When drawing up local development plan policies, boroughs are encouraged to draw on the experience of local workspace providers to understand the nature of demand in an area. Planning obligations used to secure affordable workspace in mixed use schemes should include mechanisms to ensure its timely delivery. It may be appropriate to require this in advance of some or all residential elements being occupied. ”
PR28	Policy E4 Land for industry, logistics and services to support London’s economic function.	Modify the first sentence of part A of policy E4 as follows: “... future demands for industrial and related functions should be <u>provided and</u> maintained ...”	Recommendation <u>accepted</u>

	Part A		
<p>PR29</p>	<p>Policy E4 Land for industry, logistics and services to support London’s economic function.</p> <p>Table 6.2</p>	<p>Before finalising the Plan for publication, the Mayor should give further consideration to, and modify if justified, the categorisations of boroughs in Table 6.2 in order to provide a more positive strategic framework for the provision of industrial capacity.</p>	<p>Recommendation <u>not accepted</u></p> <p>The Inspectors’ recommendation to consider modifying the borough-level categorisations included in Table 6.2 to provide a more positive strategic framework for the provision of industrial capacity is not considered justified on the basis of the relevant evidence base and proposed industrial land policy approach.</p> <p>As identified in the Inspectors’ report, the 2017 SHLAA recognised the potential for housing development on designated and (particularly) non-designated industrial land, amounting to a total of around 940 hectares. However, this figure does not reflect some of the nuance in the SHLAA. A significant quantum of the allocated and potential development sites in the SHLAA are either vacant, not in industrial use or in use as transport and utilities infrastructure (and were put forward by infrastructure providers during the call for sites process). The SHLAA also identified the potential for re-provision of industrial capacity on mixed use sites.</p> <p>The Industrial Land Demand Study (ILDS) also tested different scenarios to the baseline approach, identifying potential for both industrial intensification and substitution. While these are modelled approaches (rather than identification of specific capacity) they are based on robust methodologies and identified potential for further reduction in the need for supply of industrial land in London to meet demand.</p> <p>The policy approach in the Plan has been informed by these studies and takes a balanced and robust approach to managing industrial land in London. The borough-level categorisations at Table 6.2 have been informed by this strategic evidence of demand and supply, taking also into account the wider property market areas’ context. The development of local plans should have regard for the guidance provided by the borough-level categories at Table 6.2, and the strategic evidence of demand and supply these are based on. Local plans development will be further informed by borough-level supply and demand studies, which should be in conformity with the relevant London Plan policies and supporting evidence base.</p> <p>The Plan goes further than simply recommending the retention of existing industrial capacity and sets a strategic framework to enable and support innovative ways of providing additional capacity. Drawing from similar land markets, evidence suggests that there are considerable opportunities to make better use of existing industrial land by increasing densities on industrial sites or by allowing mixed-use developments in certain locations.</p> <p>Engagement activities with industrial businesses, developers, and local authorities have confirmed that innovative solutions are emerging in the London market, although they also highlighted the presence of certain practical barriers, such as fragmented land ownership. To overcome these practical issues the GLA is actively looking to invest its own resources and land to support intensification processes through several initiatives and funding streams, such as the Industrial Intensification Pilots programme and the Good Growth Fund.</p> <p>In view of all these factors, the Mayor has concluded that the Plan already provides a positive and justified strategic framework for the provision of industrial capacity, which does not require any further change to the proposed borough categorisations included in Table 6.2.</p>
<p>PR30</p>	<p>Policy E4 Land for industry, logistics and services to support London’s economic function.</p> <p>Paragraph 6.4.6</p>	<p>Add a sentence at the end of paragraph 6.4.6 to refer to boroughs considering, where necessary, whether the Green Belt in their area needs to be reviewed in order to provide additional industrial capacity in new locations in the context of policy G2.</p>	<p>Recommendation <u>not accepted</u></p> <p>The key justifications for not accepting the Inspectors’ recommendation at PR30 are addressed in detail in response to PR36 on policy G2.</p> <p>From an industry perspective, policies E4-E7 provide a positive and justified strategic framework to meet current and future demands for industrial uses. Specifically, the Plan’s no net loss approach should ensure the retention of industrial floorspace capacity within designated locations, while the proposed intensification, co-location and</p>

			<p>substitution processes should encourage a more efficient use of existing industrial land to provide additional industrial capacity.</p> <p>Accordingly, it is considered important to retain industrial capacity within London and, specifically, within the urban area in inner and outer London so that industrial uses can:</p> <ul style="list-style-type: none"> • Provide goods and services efficiently to other businesses and to London’s growing population; • Provide sustainable ‘last mile’ logistics to service Central London, town centres and large mixed-use developments; and • Provide a range of employment opportunities that are accessible to Londoners. <p>Apart from some carefully planned substitution of industrial capacity with the Wider South East (as envisaged in Policy E7F), the Mayor does not want to encourage a major shift of industrial activity to the outskirts of London as this is likely to give rise to negative impacts on the London economy and increase vehicle miles, congestion and pollution.</p> <p>In view of these factors, the Mayor has concluded that it would not be appropriate to accept the Inspectors’ recommendation.</p>
PR31	<p>Policy E4 Land for industry, logistics and services to support London’s economic function.</p> <p>Reasoned justification</p>	<p>Add text to the effect that: As part of a future London-wide Green Belt review, consideration will be given to identifying locations for industrial development if evidence of needs at the time indicates that they cannot be met in non-Green Belt locations.</p>	<p>Recommendation <u>not accepted</u></p> <p>See the reasons given in relation to recommendation PR30.</p>
PR32	<p>Policy E7 Industrial intensification, co-location and substation</p> <p>Part D (Part C)</p>	<p>Modify first sentence of part D of policy E7 as follows: “Mixed-use or residential development proposals on non-designated industrial sites should <u>only</u> be supported where ...”</p>	<p>Recommendation <u>accepted</u></p>
PR33	<p>Policy E9 Retail, markets and hot food takeaways</p> <p>Part D (Part E)</p>	<p>Modify part D of policy E9 as follows: “Where development proposals involving A5 hot food takeaway uses are permitted, these should be conditioned to require <u>boroughs should consider whether the imposition of a planning condition requiring the operator to achieve and operate in compliance with the Healthier Catering Commitment standard would be justified</u>”.</p>	<p>Recommendation <u>accepted with amendment</u></p> <p>The amended wording retains a positive approach to the use of the Healthier Catering Commitment, which has a key role to play in ensuring that takeaways can provide healthier options, while addressing the Inspectors’ concerns over the operation of the original wording.</p> <p>E. Where development proposals involving A5 hot food takeaway uses are permitted, boroughs should encourage operators to comply with these should be conditioned to require the operator to achieve, and operate in compliance with, the Healthier Catering Commitment standards. Where justified, boroughs should ensure compliance with the Healthier Catering Commitment through use of a condition</p>
PR34	<p>Policy HC5 supporting London’s culture and creative industries</p> <p>Part A(1)</p>	<p>Include the first sentence of para 7.5.4 within the policy.</p>	<p>Recommendation <u>accepted</u></p> <p>1) protect existing cultural venues, facilities and uses where appropriate and support the development of new cultural venues in town centres and places with good public transport connectivity. To support this, boroughs are encouraged to develop an understanding of the existing cultural offer in their areas, evaluate what is unique or important to residents, workers and visitors and develop policies to protect those cultural assets and community spaces</p>

<p>PR35</p>	<p>Policy G2 London’s Green Belt</p> <p>Reasoned justification</p>	<p>Add text to refer to the Mayor leading a strategic and comprehensive review of the Green Belt in London as part of the next review of the London Plan and to indicate the means by which this is to be undertaken.</p>	<p>Recommendation <u>not accepted</u></p> <p>The Inspectors’ report is clear that a strategic Green Belt review is regarded as necessary as part of the next iteration of the London Plan. However, including a commitment to review Green Belt in this plan potentially pre-judges any future spatial strategy and risks undermining the objectives and delivery of this plan. The Mayor considers that any review of London’s Green Belt must only be as part of a comprehensive strategic appraisal of London’s spatial development options that focuses on the most sustainable outcomes. This is a matter for a future iteration of the London Plan. The Mayor proposes to add the following text to the introduction (after 0.0.21) of the plan to reflect this</p> <p>0.0.22 The Plan provides an appropriate spatial strategy that plans for London’s growth in a sustainable way and has been found sound by the planning inspectors through the examination in public. The housing targets set out for each London Borough are the basis for planning for housing in London. Therefore, boroughs do not need to revisit these figures as part of their local plan development.</p> <p>0.0.23 The Plan does not meet all of London’s identified development needs. Work will need to be undertaken to explore the potential options for meeting this need sustainably in London and beyond. This is a matter for a future Plan, and requires close collaboration with local and strategic authorities and partners. Clear commitment from the Government is essential to support the consideration of these options and the significant strategic infrastructure investment requirements associated with them.</p>
<p>PR36</p>	<p>Policy G2 London’s Green Belt</p>	<p>Modify policy G2 as follows: “A The Green Belt should be protected from inappropriate development: 1) development proposals that would harm the Green Belt should be refused <u>except where very special circumstances exist;</u> 2) <u>subject to national planning policy tests</u> the enhancement of the Green Belt to provide appropriate multi-functional beneficial uses for Londoners should be supported. B <u>Exceptional circumstances are required to justify either the extension or de-designation of the Green Belt through the preparation or review of a local plan. The extension of the Green Belt will be supported, where appropriate. Its de-designation will not be supported.</u>”</p>	<p>Recommendation <u>not accepted</u></p> <p>The Mayor does not consider there to be an inconsistency with national policy. The NPPF is clear that strong protection should be given to the Green Belt. Whilst there may be a stronger emphasis on protection in the draft London Plan, the NPPF is clearly referenced in the supporting text. The Government also did not raise any specific objections to this policy in their representations on the plan.</p> <p>The NPPF is acknowledged in the supporting text (paragraph 8.2.1) in relation to the processes and considerations for defining Green Belt boundaries and managing development proposals. It is not considered necessary to repeat the NPPF.</p> <p>The strong emphasis on the green belt is considered justified in order to help prevent urban sprawl, driving the re-use and intensification of previously developed land to ensure the city makes efficient use of its infrastructure, and that inner urban areas benefit from regeneration and investment. This is a key part of the approach the draft London Plan takes to prioritising development on brownfield land. The strong protection of the Green Belt is also important due to the multiple important environmental functions it performs within the context of a climate and ecological emergency. It provides many benefits including ensuring transport emissions do not increase from sprawl, supporting London’s resilience to a changing climate (such as preventing flooding) as well as supporting food growing, providing important habitats for wildlife and allowing space for recreation and relaxation for Londoners.</p>
<p>PR37</p>	<p>Policy G3 Metropolitan Open Land</p> <p>Part A</p>	<p>Delete part A(1) of policy G3: Development proposals that would harm MOL should be refused.</p>	<p>Recommendation <u>not accepted</u></p> <p>Given the importance of MOL to Londoners, the Mayor considers that MOL should have the highest levels of protection, in line with that of Green Belt land. The emphasis on refusing proposals that would cause harm is therefore considered appropriate. The same clause within the policy is also clear that this is within the context of protection of MOL from inappropriate development in line with national policy tests for the Green Belt. The Mayor considers that this wording is appropriate and not inconsistent with national policy. As with Green Belt, the strong</p>

			protection of MOL is important due to the multiple important environmental functions it performs within the context of a climate and ecological emergency as well as benefits for recreation and relaxation for Londoners.
PR38	Policy G3 Metropolitan Open Land Part C	Modify part C of policy G3 as follows: “MOL boundaries should only be changed in exceptional circumstances when this is fully evidenced and justified, ensuring that the quantum of MOL is not reduced, and that the overall value of the land designated as MOL is improved, by reference to each of the criteria in Part B. ”	Recommendation <u>not accepted</u> The text the Inspectors’ have suggested should be deleted ensures that any change to boundaries does not result in a loss of overall area or quality of MOL, making reference to the list of criteria for designation of MOL. This provides an effective framework for boroughs to approach the designation and protection of MOL. Given the importance of MOL and the important functions it plays for London and Londoners the Mayor considers it is important to provide clear policy direction on this point to prevent losses to its quality and function that would undermine its strategic benefits. Ensuring the quantum of MOL is maintained will be important to not undermine the wider objective of more than 50% green cover in London.
PR39	Policy G5 Urban Greening Part B	Modify part B of policy G5 as follows: “In the interim, the Mayor recommends a target score of 0.4 for developments that are predominantly residential, and a target score of 0.3 for predominantly <u>office commercial</u> development.”	Recommendation <u>accepted with amendment</u> The Mayor acknowledges (as recognised through Further Suggested Changes) that there may be certain types of industrial developments where it could be more challenging to incorporate particular UGF measures. However, there are a number of options for exploring Urban Greening Factors on industrial sites depending on a site’s context and constraints, these are not limited to green roofs. As the primary focus of the concern is around inhibiting B2 and B8 development the Mayor proposes to remove these two types of commercial uses from the policy whilst keeping the broader category of commercial use. Limiting the UGF solely to office use would exclude a number of other commercial uses that could otherwise contribute to London’s greening and the multiple benefits that this can provide and undermine the wider objective of more than 50% green cover in London. The Mayor therefore proposes the following wording: “In the interim, the Mayor recommends a target score of 0.4 for developments that are predominantly residential, and a target score of 0.3 for predominantly commercial development (excluding B2 and B8 uses) .”
PR40	G5 Urban greening Paragraphs 8.5.3AB (8.5.5) and 8.5.3A (8.5.4) .	Delete second, third and fourth sentences of paragraph 8.5.3AB in their entirety.	Recommendation <u>accepted with amendment</u> Consistent with the response to recommendation PR39 the Mayor considers it is important to recognise the ways in which urban greening will vary according to different development typologies. Although the policy is proposed to be amended to exclude B2 and B8 uses from achieving a target score, it is still considered important for these development types to look at what they can do to contribute to urban greening on-site, this will also play an important role in gathering evidence to inform a future UGF score for these uses. The Mayor therefore proposes the following amendments to the supporting text: 8.5.5 Residential development places greater demands on existing green infrastructure, and as such, a higher standard is justified. Commercial development includes a range of uses and a variety of development typologies where the approach to urban greening will vary. Whilst the target score of 0.3 does not apply to B2 and B8 uses, these uses will still be expected to set out what measures they have taken to achieve urban greening on-site and quantify what their UGF score is. It is recognised that there may be certain types of industrial developments where it could be more challenging to incorporate particular UGF measures. specific constraints and opportunities can be considered on a case-by-case basis. Further guidance will be developed to support implementation of the Urban Greening Factor. The Mayor considers it is helpful to provide clarity about further guidance that will help to support the implementation of UGF and proposes to add the text on this that was formerly in paragraph 8.5.3AB to the end of paragraph 8.5.4 as follows:

			<p>“The UGF is currently only applied to major applications but may eventually be applied to applications below this threshold as boroughs develop their own models. London is a diverse city, so it is appropriate that each borough develops its own approach in response to its local circumstances. However, the challenges of climate change, poor air quality and deficiencies in green space need to be tackled now, so while each borough develops its own bespoke approach the Mayor has recommended the standards set out above. Further guidance will be developed to support implementation of the Urban Greening Factor.”</p>
PR41	<p>Policy G6 Bio diversity and access to nature</p> <p>Part C(3)</p>	<p>Modify part C(3) of policy G6 as follows: “... deliver off-site compensation based on the principle of biodiversity net gain of equivalent or better biodiversity value where possible.”</p>	<p>Recommendation <u>accepted in part</u></p> <p>Whilst the inclusion of ‘where possible’ makes sense as a general principle in the context of the NPPF its inclusion in the mitigation hierarchy is not appropriate. The avoidance of harm and impact and consideration of what is appropriate is already built into the hierarchy and to weaken it would undermine the principle of off-site compensation being a last resort and disincentivise exploring on-site mitigation first. Given that government is currently proposing to make biodiversity net gain mandated through legislation, and to ensure off-site compensation is a last resort, it is considered appropriate within the context of the mitigation hierarchy for proposals to deliver better biodiversity value. The Mayor therefore proposes the following text to G6 part C(3):</p> <p>“... deliver off-site compensation based on the principle of biodiversity net gain of better biodiversity value.”</p> <p>And to amend 8.6.5 in the following way -</p> <p>8.6.5 Biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. This means that where biodiversity is lost as a result of a development, the compensation provided should be of an overall greater biodiversity value than that which is lost. This approach does not change the fact that losses should be avoided, and biodiversity offsetting is the option of last resort when applying the mitigation hierarchy. The Mayor will be producing guidance to set out how biodiversity net gain applies in London.</p>
PR42	<p>Policy SI1 Improving air quality</p> <p>Part A(2) (Part B 2 d)</p>	<p>Modify part A(2)(d) of policy SI1 as follows: “Development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people, <u>should</u> which do not demonstrate that design measures have been used to minimise exposure should be refused.”</p>	<p>Recommendation <u>accepted</u></p>
PR43	<p>Policy SI8 Waste capacity and net waste self-sufficiency</p> <p>9.8.7AA (9.8.8)</p>	<p>In future iterations of the Plan full consideration should be given to apportioning waste needs to Mayoral Development Corporations.</p>	<p>Recommendation <u>accepted.</u></p> <p>In accordance with the Inspectors’ recommendation, the Mayor proposes to add supporting text of policy SI8 as follows:</p> <p>“9.8.8 Mayoral Development Corporations (MDCs) must cooperate with host boroughs to meet identified waste needs; this includes boroughs’ apportionment requirements. This could be widened to cover boroughs in the relevant waste disposal authority planning group where appropriate. In future iterations of the Plan full consideration will be given to apportioning waste needs to MDCs.”</p>
PR44	<p>Policy SI11 Hydraulic fracturing (Fracking)</p>	<p>Delete policy SI11 and the reasoned justification in their entirety and make any consequential changes to other parts of the Plan.</p>	<p>Recommendation <u>not accepted</u></p> <p>The Mayor is strongly opposed to the exploration and production of shale gas in London and considers it is vital to have a London wide planning policy on this and that this is justified.</p>

			<p>A plan without policy SI 11 would lead to inconsistency with other Mayoral strategy documents. To be in line with the GLA Act, the London Plan has to have regard to being consistent with the Mayor’s other strategies, including the Environment Strategy, which sets out a clear pathway for London to be Zero Carbon by 2050. Given London has a strategy for meeting energy needs that is focused on the provision of affordable, secure and low carbon electricity and heat it is important that there is a clear position on hydraulic fracturing in the London Plan so that proposals do not undermine this, particularly given the technology to develop and implement carbon capture and storage does not yet exist, as evidenced in the recent National Audit Office (NAO) report¹</p> <p>The Mayor does not consider that there is a fundamental inconsistency with national policy. The specific support for hydraulic fracturing was withdrawn from the 2018 NPPF following a successful High Court challenge. With regard to the provisions in the NPPF the decision of Dove J in the case of <i>Stephenson V Secretary of State HCLG (7.3.19)</i> held that the consultation in respect of fracking in the NPPF was unfair and unlawful as it did not respond to nor examine the most up to date scientific guidance in relation to the evidence base for the policy and its relationship to climate change effects.</p> <p>Subsequent to this the Government amended the Climate Change Act (2008) to reflect in law the Government’s own net Zero Carbon target by 2050. In the preamble the Secretary of State acknowledged that since the Act was passed, there have been significant developments in scientific knowledge about climate change that make it appropriate to update the UKs target.</p> <p>Given the climate emergency and the above changes to national policy and legislation in light of this, it is considered caution should be used when giving weight to Written Ministerial Statements preceding the above changes.</p> <p>Although evidence suggests there may not be significant shale gas potential in the Weald Basin, it is important to emphatically preclude exploration and development of any reserves that do exist. Particularly, as found by the NAO, alongside greenhouse gas emissions, other risks from fracking include ground water contamination and earthquakes, with these potential impacts more likely to be felt at the local and regional level². This is in addition to potential impacts on London’s already stressed water resources.</p> <p>Further to the NAO report, since the Inspectors' report was issued, the Oil and Gas Authority also published a report following analysis of recent earthquakes on the UK’s only active hydraulic fracturing site in Lancashire which led Government to announce a moratorium on fracking and a presumption against issuing any further Hydraulic Fracturing consents. The Government has concluded it is not possible to accurately predict the probability of tremors and unacceptable impacts on local communities could not be ruled out. In addition, the Government has also announced proposals to change the planning process for fracking sites will no longer be taken forward at this time.</p> <p>The Policy is considered to be consistent with legislation and the Government’s position. The Mayor considers that the policy is necessary to continue to guarantee that hydraulic fracturing will not negatively impact London into the future.</p>
PR45	Policy SI13 Sustainable drainage	Modify part C of policy SI13 as follows: “Development proposals for impermeable surfacing should normally be refused resisted	Recommendation <u>accepted</u> .

¹ National Audit Office (2019), Fracking for Shale Gas in England, p. 5

² National Audit Office (2019), Fracking for Shale Gas in England, p. 6

		unless they can be shown to be unavoidable, including on small surfaces such as front gardens and driveways.”	
PR46	SI14 Waterways Reasoned justification 8.2.2A (8.3.3).	Delete paragraph 9.14.8 and add a sentence to paragraph 8.3.2 to the effect that: In considering whether there are exceptional circumstances to change MOL boundaries alongside the Thames and other waterways, boroughs should have regard to policies SI14 to SI17 and the need for certain types of development to help maximise the multifunctional benefits of waterways including their role in transporting passengers and freight.	Recommendation <u>accepted in part</u> In addition to recognising their role in transporting passengers and freight, the waterways policies also recognise how they can be protected and enhanced for recreational purposes and biodiversity. The supporting text to policy G3 has been amended in line with the Inspectors’ recommendation. However, in adding additional text to paragraph 8.3.2, it is considered important to retain the current text of paragraph 9.14.8 to ensure clarity and consistency with the waterways policies as well as consistency in the approach to MOL boundaries. The Mayor therefore proposes the following text: 8.3.2 Metropolitan Open Land is afforded the same status and protection as Green Belt land. Any proposed changes to existing MOL boundaries must be accompanied by thorough evidence which demonstrates that there are exceptional circumstances consistent with the requirements of national policy. 8.3.3 Additional stretches of the River Thames should not be designated as Metropolitan Open Land, as this may restrict the use of the river for transport infrastructure related uses. In considering whether there are exceptional circumstances to change MOL boundaries alongside the Thames and other waterways, boroughs should have regard to policies <u>Policy SI 14 Waterways – strategic role to Policy SI 17 Protecting and enhancing London’s waterways</u> and the need for certain types of development to help maximise the multifunctional benefits of waterways including their role in transporting passengers and freight.
PR47	Policy T3 Transport capacity, connectivity and safeguarding Table 10.1 and reasoned justification	Add to Table 10.1 (Indicative list of transport schemes): “Northwest Runway at Heathrow Airport”. Add an additional paragraph to the reasoned justification to briefly describe the proposed expansion scheme at Heathrow Airport as set out in the <i>Airports National Policy Statement: new runway capacity and infrastructure at airports in the South East of England (June 2018)</i> (“ANPS”) and to explain that the ANPS will be the primary basis for making decisions on any development consent applications for that scheme.	Recommendation <u>not accepted</u> As acknowledged within the Inspectors’ report, Table 10.1 is derived from the Mayor’s Transport Strategy (MTS) and reflects the transport modelling undertaken as part of the MTS evidence base to identify the means through which sustainable transport outcomes and modal shift away from private car use can be achieved. The Inspectors’ report (paragraph 547) states: “Table 10.1 sets out an indicative list of transport schemes grouped under “healthy streets and active travel” and “public transport”, along with an indication of their cost and timescale. They are derived from a longer list of options that were considered through the process of preparing the MTS and the Plan over a period of about two years. Table 10.1 reflects the preferred scenario tested through the transport modelling, and the schemes are part of the package of interventions that are expected to deliver the beneficial outcomes described above”. Because table 10.1 reflects the schemes needed to deliver the MTS adding “Northwest Runway at Heathrow” is fundamentally inconsistent with its purpose as well as the MTS. In addition, the Mayor does not consider it is necessary to set out the role of the ANPS in decision making as this is set out in relevant national policy and legislation.
PR48	Policy T3 Transport capacity, connectivity and safeguarding	Modify the last sentence of part C of policy T3 as follows: “... should be refused <u>will not normally be permitted</u> ”.	Recommendation <u>not accepted</u> . The Mayor considers that Policy T3 C should remain as currently worded to ensure that development proposals do not impede strategic transport schemes essential to London’s future growth. In the vast majority of instances,

	Part C		<p>development proposals will be unaffected by this policy or able to come forward with design alternations to accommodate future transport plans.</p> <p>Sites will be protected where it is necessary to ensure transport schemes in Table 10.1 remain deliverable, particularly high priority schemes listed in Policy T3 D that are critical for supporting London’s growth. Schemes in Table 10.1 will be under continuous review, and if a scheme is altered or no longer being taken forward, development proposals will no longer have to offer it protection.</p>												
PR49	Policy T4 Assessing and mitigation Part B	<p>Modify the last sentence of part B of policy T4 as follows: “ ... will be required, <u>having regard to</u> in accordance with relevant Transport for London guidance”.</p>	<p>Recommendation <u>accepted</u>.</p>												
PR50	Policy T5 Cycling Table 10.2	<p>Modify Table 10.2 so that it includes the following minimum cycle parking standards:</p> <ul style="list-style-type: none"> • Specialist older persons accommodation: 1 space per 10 bedrooms. • Purpose built student accommodation: 0.75 spaces per bedroom. 	<p>Recommendation <u>accepted with amendment</u>.</p> <p>The Mayor believes there is considerable scope for higher cycling provision for specialist older persons housing. It is noted that this is a minimum standard and there is scope for this to be higher where this can be justified based on local circumstances/evidence. The Mayor will continue to gather evidence with a view to revising and updating this standard in a future review of the plan.</p> <p>The Mayor proposes the following update to table 10.2</p> <p>Table 10.2 - Minimum cycle parking standards*</p> <table border="1"> <thead> <tr> <th>Use Class</th> <th>Long-stay (e.g. for residents or employees)</th> <th>Short-stay (e.g. for visitors or customers)</th> </tr> </thead> <tbody> <tr> <td>Student accommodation</td> <td>0.75 spaces per bedroom</td> <td>1 space per 40 bedrooms</td> </tr> <tr> <td>Specialist older persons housing**</td> <td>1 space per 10 bedrooms</td> <td>1 space per 40 bedrooms</td> </tr> <tr> <td>Sui generis</td> <td colspan="2">As per most relevant other standard e.g. casino and theatre = D2, room in large-scale purpose built shared living or student accommodation= studio C3.</td> </tr> </tbody> </table> <p>* The minimum of two short-stay and two long-stay cycle parking spaces does not apply to A1-A5 developments of less than 100 sqm or to short-stay parking at residential developments of fewer than 5 dwellings.</p> <p>** as defined by Policy H15. The Mayor will continue to gather evidence with a view to revising and updating this standard. Where appropriate, proposals should provide higher provision than the above standard where it is needed.</p>	Use Class	Long-stay (e.g. for residents or employees)	Short-stay (e.g. for visitors or customers)	Student accommodation	0.75 spaces per bedroom	1 space per 40 bedrooms	Specialist older persons housing**	1 space per 10 bedrooms	1 space per 40 bedrooms	Sui generis	As per most relevant other standard e.g. casino and theatre = D2, room in large-scale purpose built shared living or student accommodation = studio C3.	
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PR51	Policy T6 Car Parking	<p>Modify to make clear that part I of policy T6 does not apply to the redevelopment of industrial sites.</p>	<p>Recommendation <u>accepted</u></p> <p>The following text has been added to paragraph 10.6.6</p> <p>“The general principles outlined in paragraphs 10.6.3 to 10.6.5 above apply to the parking standards set for residential, office (and Use Classes B2 and B8), retail, and hotel and leisure uses under Policy T6.1 Residential</p>												

			parking to Policy T6.5 Non-residential disabled persons parking. In relation to T6, part I, where industrial sites are redeveloped parking will be considered on a case by case basis as set out in paragraph 10.6.14A”
PR52	Policy T7 Deliveries, servicing and construction and paragraph 10.7.1	<p>Add an additional sentence at the start of part A of policy T7 as follows: <u>“Development plans and development proposals should facilitate sustainable freight movement by rail, waterways and road”.</u></p> <p>Amend the second sentence of paragraph 10.7.1 as follows: <u>“... sustainable freight movement by rail, river waterways and road ...”</u></p>	Recommendation <u>accepted</u>
PR53	Policy T8 Aviation and reasoned justification	Delete policy T8 and paragraphs 10.8.1 to 10.8.12 inclusive in their entirety.	<p>Recommendation <u>not accepted</u></p> <p>The absence of Policy T8 would leave a policy vacuum, in which there would be no effective basis for assessing aviation-related development in London. The Airports National Policy Statement (ANPS) is primarily site-specific in relation to the Heathrow North West runway scheme currently proposed and does not cover all aviation proposals that would impact on London, or adequately deal with the cumulative impacts of wider airport capacity and expansion plans in the South East. In the absence of T8, there would be no London-wide strategic planning policy for other airports in London, or other schemes coming forward at Heathrow. Section 23 of the Planning Act 2008 sets the development threshold for an airport development to be considered a Nationally Significant Infrastructure Project: a change that would result in an additional 10 million passengers per year or 10,000 air transport movements of cargo aircraft. Below this level of development, for schemes outside of the (Development Consent Order (DCO) process and that would be referable to the Mayor, for example at City Airport, Biggin Hill and Northolt, without Policy T8, there would be no effective way of assessing, managing or mitigating the impacts of such large-scale proposals. Other London Plan policies would be limited in their applicability to aviation because they were written in the context of T8 and would require consequential changes.</p> <p>The Mayor considers that T8 is not inconsistent with national policy and can operate alongside the ANPS. In their defence at the Heathrow third runway Judicial Review (JR) the Government confirmed that the ANPS only states minimum requirements. Furthermore, the recent JR judgement is clear that at the DCO stage, under section 104 (7) of the Planning Act 2008, the Secretary of State can decide consent for the scheme based on whether the adverse impacts are outweighed by benefits, in addition to whether it meets the minimum requirements in the ANPS³. The impacts to be considered in this balancing of harm and benefits would include any raised in a Local Impact Report (LIR) (as well as any other evidence)⁴. To be able to effectively compile a local impact report, the Mayor must be able to set out the policy by which proposals will be assessed for the purposes of the LIR.</p> <p>Guidance on LIRs (PINS Advice Note 1) draws attention to the importance of “local knowledge and experience” and the helpfulness of having an “appraisal of the proposed development’s compliance with local policy and guidance”. Without the evaluative framework set out by Policy T8, the Mayor’s ability to produce an effective LIR that sets out if the proposals meets London’s strategic spatial development priorities would be inhibited.</p> <p>The Inspectors’ report cites paragraph 2.18 of the ANPS, stating that it accepts that there will be harm to air quality and noise levels as a result of the development, and that this renders Part D of T8 contradictory to national policy. The Mayor does not believe this is the case. For noise impacts, more details are provided in paragraphs 5.44 to 5.68 of the ANPS. These paragraphs describe the assessment and the need for the applicant to “balance” the</p>

³ Paragraph 91 of the *Heathrow Third Runway Litigation Judgement Case Nos CO/2760/2018, CO/3089/2018, CO/3147/2018 and CO/3149/2018 [2019]*

⁴ Paragraphs 35-37 of the *Heathrow Third Runway Litigation Judgement Case Nos CO/2760/2018, CO/3089/2018, CO/3147/2018 and CO/3149/2018 [2019]*

			<p>benefits of improved technology and the “benefits” of additional flights. The balance is not defined. Clearly it is possible to seek a balance where noise is reduced, or at the least not made worse, in the context of more flights with quieter aircraft. As the balance point is not defined in the ANPS it is appropriate for the Mayor to set out what he believes the appropriate minimum to be, guidance on how this should be assessed and issues pertinent to London to be taken into account.</p> <p>Air Quality is considered at paragraphs 5.23 to 5.43 of the ANPS. In addition to compliance with minimum legal objectives, the ANPS is clear that it will be important for the decision maker to consider “<i>whether after taking into account mitigation, [the development] would lead to a significant air quality impact in relation to Environmental Impact Assessment and / or to a deterioration in air quality in a zone or agglomeration.</i>” It is not clear how T8 (D) is thought to be contradictory to this statement.</p> <p>T8 is necessary with regard to providing a clear framework for planning decisions in relation to Habitat’s Regulations for aviation proposals within London. The Habitat Regulations Assessment (HRA) for the draft plan specifically led to the strengthening of T8C and so to remove the policy would not be consistent with the HRA and lead to a policy vacuum for how aviation proposals in London affecting protected wildlife sites should respond.</p> <p>While the Mayor’s Transport Strategy and London Environment Strategy do set out clear policy positions on avoiding environmental harm from aviation-related development, Policy T8 plays an important role in bringing together these strategies with national policy to provide an effective planning framework for aviation in London. However, the absence of Policy T8 and introduction of the Inspectors’ recommendations into the London Plan would leave inconsistencies between the Mayor’s strategies policy, potentially breaching the requirements of section 41 (5) of the GLA Act 1999.</p> <p>The Heathrow NW runway is expected to be completed in 2026, after which the ANPS will have limited applicability. The London Plan is intended to be the spatial development strategy for London up to 2041 and will continue to apply after the ANPS has reached the end of its applicability.</p> <p>Since the publication of the ANPS, UK law on Climate Change has changed with the Government amending the Climate Change Act (2008) to reflect in law the Government’s net zero carbon target by 2050, with the Secretary of State acknowledging that this was due to significant developments in scientific knowledge about climate change since the Act was passed. The Committee on Climate Change have written a letter to the Secretary of State for Transport setting out substantial challenges with respect to how they believe the aviation sector should address its carbon emissions to align with this new target. Although the government recently rejected the recommendation to fully include aviation under the Climate Change Act, it said that it would continue to allow headroom in its carbon budgets to allow for the UK’s share of aviation and may consider including climate targets at a later date. In order to keep that as a possibility, the government must reconsider the headroom given to aviation emissions. The Mayor of London and others have written to the Government requesting that the ANPS is reviewed under section 6 of the Planning Act 2008 which provides that a ‘significant change in any circumstances’ is a consideration that the Secretary of State must take into account in deciding if it is appropriate to review an NPS. The effect of such a review could include the withdrawal or suspension of the ANPS.</p> <p>In response to the Inspectors’ report, the Mayor is proposing some changes in relation to aspects of the policy that were deemed unclear. These are summarised below - full text changes are set out in ‘intend to publish’ track change version of the Plan:</p> <ul style="list-style-type: none"> • The removal of part A of the policy to respond to the Inspectors’ point that this was considered to be more of an objective alongside updates to paragraph 10.8.1 and 10.8.4 to reflect this. • A clarification to part C of the policy in relation to its application to Development Proposals. Meeting environmental costs could mean investing in compensatory mitigation measures that offset the overall
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<p>PR54</p>	<p>Policy DF1 Delivery of the Plan and Planning Obligations and reasoned justifications</p>	<p>Modify the last sentence of part A of policy DF1 as follows: <u>“Where relevant policies in the local development plan document are up to date, it is expected that viability testing should normally only be undertaken on a site-specific basis where there are clear circumstances creating barriers to delivery.”</u></p> <p>Modify part B of policy DF1 as follows: <u>“Where relevant policies in the local development plan document are up to date, if an applicant wishes to make the case that viability should be considered ...”</u></p> <p>Modify the reasoned justification to policy DF1 to make it clear that the Plan has been subject to a viability assessment that is proportionate to a spatial development strategy; to clarify that more detailed assessments will need to be undertaken to inform local plans; and to explain that the requirements in policy DF1 relating to site specific assessments apply where relevant policies in local development plan documents are up to date.</p>	<p>Recommendation <u>accepted</u></p> <p>A Applicants should take account of Development Plan policies when developing proposals and acquiring land. Development proposals should provide the infrastructure and meet the other relevant policy requirements necessary to ensure that they are sustainable and to support delivery of the Plan. Where relevant policies in local Development Plan Documents are up to date, it is expected that viability testing should normally only be undertaken on a site-specific basis where there are clear circumstances creating barriers to delivery.</p> <p>B Where relevant policies in local Development Plan Documents are up to date, if an applicant wishes to make the case that viability should be considered on a site-specific basis, they should provide clear evidence of the specific issues that would prevent delivery, in line with relevant Development Plan policy, prior to submission of an application.</p> <p>11.1.1 The purpose of planning is the delivery of sustainable development, and the statutory basis for this is the plan-led system. The policies in the London Plan have been subject to a viability assessment, proportionate to a Spatial Development Strategy, which has tested the cumulative impact of relevant standards, obligations and requirements to ensure they do not put implementation of the Development Plan at serious risk. Local Development Plan Documents are also needed to be informed by subject to viability testing of local sites. Therefore, applicants should take account of all relevant Development Plan policies when forming their proposals and when acquiring land. Land owners should also take account of these requirements when applying for planning permission or selling sites.</p> <p>11.1.5 Where relevant policies in Local Development Plan Documents are up to date, if an applicant wishes to make the case that viability should be considered on a site-specific basis, they should inform the borough, and Mayor where relevant, prior to submission of the application. Evidence should be provided of the specific issues that would prevent delivery in line with relevant Mayoral and borough policies and guidance. The application should be determined in accordance with the Development Plan, with the decision-maker determining the weight to be given to viability alongside other relevant material considerations. This should ensure that proposals remain acceptable in planning terms.</p>

PR55	Glossary	Delete the definition of “sustainable development”.	Recommendation <u>accepted</u>

